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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,978	02/26/2004	Masatoshi Sugimasa	1021.43550X00	2672
	7590	EXAMINER		
•	SEVENTEENTH STRI	RABAGO, ROBERTO		
ARLINGTON, VA 22209-3873			ART UNIT	PAPER NUMBER
			1713	
SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE	
3 MONTHS		02/07/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	[ A				
•	Application No.	Applicant(s)				
Office Action Summany	10/785,978	SUGIMASA ET AL.				
Office Action Summary	Examiner	Art Unit				
	Roberto Rábago	1713				
The MAILING DATE of this communication app Period for Reply	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
Responsive to communication(s) filed on <u>07 Not</u> This action is <b>FINAL</b> . 2b) ☐ This     Since this application is in condition for allowan closed in accordance with the practice under Expensive to communication(s) filed on <u>07 Not</u> This action is <b>FINAL</b> . 2b) ☐ This is a since this application is in condition for allowant closed in accordance with the practice under Expensive to communication(s) filed on <u>07 Not</u>	action is non-final. nce except for formal matters, pro					
Disposition of Claims						
4)  Claim(s) 1 and 3-11 is/are pending in the application 4a) Of the above claim(s) 3-8,10 and 11 is/are with 5)  Claim(s) is/are allowed.  6)  Claim(s) 1 and 9 is/are rejected.  7)  Claim(s) is/are objected to.  8)  Claim(s) are subject to restriction and/or Application Papers	withdrawn from consideration.					
9) The specification is objected to by the Examiner 10) The drawing(s) filed on is/are: a) acce Applicant may not request that any objection to the d Replacement drawing sheet(s) including the correction 11) The oath or declaration is objected to by the Examiner	epted or b) objected to by the Edrawing(s) be held in abeyance. See on is required if the drawing(s) is obj	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>						
Attachment(s)						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal Pa 6) Other:	nte				

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## **DETAILED ACTION**

## Claim Rejections - 35 USC § 102

1. Claims 1 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Amou et al. (US 20020161091) for the reasons set forth in item 4 of the Office action mailed 6/7/2006.

Applicant's arguments filed 11/7/2006 have been fully considered but they are not persuasive. Applicants' argument directed to the dielectric dissipation factor have been considered; however, this feature is not included in any claim, and is therefore irrelevant to the rejection under 35 USC 102. Allegations of unexpected results cannot overcome a rejection based upon anticipation.

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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3. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Roberto Rábago whose telephone number is (571) 272-

1109. The examiner can normally be reached on Monday - Friday from 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, David Wu can be reached on (571) 272-1114. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Roberto Rábago

**Primary Examiner** 

Art Unit 1713

RR

January 24, 2007